



"Gross, Kenneth"
<KGROSS@skadden.com>

01/24/2007 02:04 PM

To cgallagher@fec.gov

cc

bcc

Subject MUR 5895 Advent Capital Management, L.P.

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

History:

This message has been forwarded.

This response is a follow up to our conversation earlier this week when I informed you that Advent Capital Management LLC (Advent) is an LLC filing with the IRS as a partnership. Also, it is not publicly traded. Thus, under Federal election law Advent should not be treated as a corporation and cannot violate Section 441b. Attached is a redacted copy of the front page of Advent's 2005 tax return showing it filed as a partnership. Please let me know if you need anything else. My direct dial is 202-371-7007.

To ensure compliance with Treasury Department regulations, we advise you that, unless otherwise expressly indicated, any federal tax advice contained in this message was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or applicable state or local tax law provisions or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

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Further information about the firm, a list of the Partners and their professional qualifications will be provided upon request.

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Statement of Designation of Counsel.pdf

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FEDERAL ELECTION COMMISSION
999 E Street, NW
Washington, DC 20463

Statement of Designation of Counsel
(Respondent)

MUR: 5895

Name of Counsel: Ken Goss

Firm: SKADDEN ARPS

Telephone: (202) 371-7007

Fax: ()

The above named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

1/22/07
Date

[Signature]
Signature General Counsel

Name (Print): Advent Capital Management, LLC

Address: 1065 AVENUE OF THE AMERICAS, 31st fl.
New York, NY 10018

Telephone: Home ()

Business (212) 482-1600

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.

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